

**NORTHERN DISTRICT OF ILLINOIS
EASTERNS DIVISION**

In Re:)
) Case No. 19-31635
Claudine Minogue)
)
Debtor.)

NOTICE OF FILING

TO: See attached service list

PLEASE TAKE NOTICE that on the 24th day of December, 2019 the undersigned filed with the Clerk of the United States Bankruptcy Court the attached

Objection to confirmation of Chapter 13 plan

BEERMANN LLC

By: /s/Jeffrey K. Gutman
One of its attorneys

PROOF OF SERVICE

The undersigned certifies that a copy of this notice and the attached was duly served by U.S. Mail to the above-mentioned individuals and attorneys on the attached service list at the above-mentioned address, with proper postage prepaid this 24th day of December, 2019

/s/ Jeffrey K. Gutman
Jeffrey K. Gutman

**GUTMAN & ASSOCIATES
4018 N. Lincoln Avenue
Chicago, Illinois 60618
773/472-4500**

Service List

1. Claudine Minogue
219 Sky Hill Road
Wauconda, IL 60084
2. Glenn B. Stearns
801 Warrenville Road
Suite 650
Lisle, IL 60532
3. United States Trustee
219 S. Dearborn
Room 873
Chicago, IL 60604
4. Joseph E. Cohen
Cohen and Krol
105 West Madison
Suite 1100
Chicago, IL 60602

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)
) Case No. 19-31635
Claudine Minogue)
)
Debtor.)

OBJECTION TO CONFIRMATION OF CH 13 PLAN

The creditor, BEERMANN LLC (“Beermann”), by and through its attorney, Jeffrey K. Gutman, and sets forth the following objection to confirmation of the Debtor’s Chapter 13 plan:

1. Beermann is a judgment creditor of the Debtor in the amount of \$85,000. The Beermann judgment was recorded and is thus secured by all of the Debtor’s real estate.
2. The debtor has proposed to pay a 100% plan with payments of \$125 per month for 23 months and on the 24th month a balloon payment of \$301,354
3. The total to be paid in the first 23 months is \$2,875.00. Thus, the only one that will be paid from the plan is the Debtor’s attorney’s fees.
4. The plan as proposed is not feasible because the Debtor has not shown any ability to pay the balloon payment of \$301,354.
5. The plan as proposed does not provide any adequate protection and there is a likelihood that the balloon payment will not be paid. Thus, the plan as proposed will guarantee creditors less than the amount that would be distributed under chapter 7.
6. The Debtors has listed in Schedule A/B ownership of two parcels of real estate: 219 Sky Hill Road, Wauconda, IL (“the Wauconda home”) and 1848 Tails Edge Drive, Northbrook, IL (“the Northbrook home”)

7. The debtor's schedules list her as residing in the Wauconda home. However, the value of the home is listed at \$0.00, even though the property it is listed for sale for over \$300,000.00.
8. The Wauconda home had 2018 real estate taxes of \$9,204.50, or \$767.04 per month. However, the Debtor has listed in Schedule J real estate taxes of only \$540.00 per month.
9. In addition, the 2018 real estate taxes for the Northbrook house was \$17,261.03 or \$1,438.41 per month. However, the schedules fail to show any payment for any real estate taxes for this property.
10. The Debtor's Schedule J is incorrect in that it fails to include all of the Debtor's necessary expenses and the Chapter 13 plan is not feasible because the Debtor does not have the funds available as proposed.

WHEREFORE, BEERMANN LLC prays this Court deny confirmation of the Chapter 13 plan and grant such other and further relief as this Court deems just.

Respectfully Submitted,

BEERMANN LLC

/s/Jeffrey K. Gutman

One of its Attorneys

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